

**Town of Boscawen  
Select Board  
MEETING MINUTES  
Thursday, April 27, 2023 at 6:00 PM**

In Attendance: Matt Burdick, Lorrie Carey, Bill Bevans, Katie Phelps, Kellee Easler, Kearsten O'Brien, Gary Moore & Dean Hollins

Guests: Michele Smith, Doug Smith, Don Moyer, Bill Heinz, Loren Martin, Josh Crawford

**Roll Call:** completed and guests introduced.

Chairman Matt Burdick called the meeting to order at 6:00pm.

**Consent Agenda Items:**

- P&L, Balance Sheet, Check Manifest & Payroll (2 weeks)
- Public and Nonpublic Minutes for Approval-04/13/23
- Plodzick & Sanderson-Single Audit Engagement Letter
- Advisory Budget Committee Appointment Letter—Laliberte
- Police Chief Appointment Letter—Killary
- Intent to Excavate—23.049.02E & 23.049.03E
- Land Use Change Tax—Map 49 Lot 62 & Map 47, Lot 27
- Avitar Abatement Recommendation
- Excavation Warrant—22.049.02 & 03E
- Intent to Cut—23.04.05T
- Solar Exemptions—49 63 5; 81A 26; 183D 96
- Report from Executive Councilor Cindy Warmington
- State/Municipality Owned Bridge Red List as of 2023

Selectwoman Lorrie Carey noted grammatical changes to the 04.13.23 public minutes.

**Selectman Bill Bevans motioned to approve the Consent Agenda as amended. Seconded by Selectwoman Carey. All in favor. None opposed.**

**Scheduled Guests & Hearings:**

*Notice is hereby given in accordance with RSA 41:9-a IV Establishment of Fees, that: The Town of Boscawen Select Board will meet on Thursday, April 27, 2023, at 6:00pm in the 4<sup>th</sup> Floor Meeting Room of the Boscawen Municipal Complex, 116 North Main Street, Boscawen, NH 03303 to review and update the Town of Boscawen Administrative Fee Schedule. The Board may open a public hearing to take testimony after the review.*

Planning and Community Development Director Kellee Easler presented proposed changes for administrative fees. Under Building Inspector, the permit explanations were condensed to clarify that all residential and commercial areas are \$0.25 per square foot. A single inspection fee will be \$100 (\$60 per review, \$15 admin fee and \$25 permit fee). Both the generator fee and solar

array fee are \$175 each, due to the requirement of two extra inspections. For commercial areas, the solar panel fee is charged at a rate of \$0.25 per square foot. Lastly, the building permit renewal fee will be \$100 (\$60 per review, \$15 admin fee and \$25 permit fee). Under Planning Board, the cost of printing will be \$1 for the first page and an additional \$0.15 for every subsequent page. The subdivision application fee has been updated to \$250 per lot. Previously, it was incorrectly stated that the fee was only applied to the second plot and beyond. The escrow amount for Central NH Regional Planning Commission (CNHRPC) has been revised to \$500 in order to simplify the billing process for residents. Public notice fees were updated to \$180 as they were exceeding the previous threshold of \$160. In regard to Land Use penalties within a calendar year, the first offense will result in a penalty of \$275 and \$550 for the second offense. PCD Director Easler noted Land Use penalties are mandated by statute.

Town Administrator Katie Phelps updated the Board Room Rental Fee under the Executive Department, to state that the use of the Board room will only be permitted from Monday through Friday and will be closed on holidays due to staffing.

TA Phelps noted the Town Clerk's office added new fees for OHRV (Off-Highway Recreational Vehicle) and snowmobile registration. For each fee, the town portion is \$5. For hunting licenses, the town portion will cost \$2 and for fishing licenses, it will be \$1.

TA Phelps provided an update on Public Works fees. The fee for construction and demolition debris weighing over 100lbs will be increased from \$0.08/lb. to \$0.10/lb. Public Works Director Dean Hollins obtained two quotes from the towns of Bow and Bradford, both of which offered the same price for hauling their own debris, at approximately \$260 per ton. PWD Hollins noted that if Boscawen strictly brings demo, the tipping fee of \$0.10lb., would only break even and would not cover trucking or labor fees. Chairman Burdick asked about the cost required to cover the tipping fee, but PWD Hollins was unable to provide an exact figure. He noted the cost would be significantly higher than \$0.10/lb., which would defeat the purpose of having the C&D Landfill. The minimum fee for construction and demo debris under 100lbs will remain at \$7. Regarding Cemetery Lots, TA Phelps noted that the fee for corner markers has been updated to \$250 due to increased costs. As a result, the total cost of a cemetery lot will go from \$475 to \$550, with \$200 for perpetual care, \$250 for corner markers, and \$100 for the town.

Chairman Burdick opened the public hearing at 6:08 PM.

Chairman Burdick closed the public hearing at 6:09 PM with no public input.

**Selectman Bevans motioned to approve the updated Administrative Fees. Seconded by Selectwoman Carey. All in favor. None opposed.**

Ms. Michele Smith was interested in renting the old Police Station, next to the Fire Station in order to open a Nutrition Club for residents in town. However, the building needs significant work to be brought up to code. Ms. Smith explained the community-based nature of the Nutrition Club, which would promote residents' health through a variety of activities such as exercise classes. She noted it would be a family-based plan. TA Phelps, PCD Director Easler, Code Enforcement Officer Alan Hardy and Building Inspector Chuck Bodien have been assisting the

Smiths with this process. Ms. Smith brought in a contractor, who made a contract of what he thought needed to be fixed in order to use the building. Mr. Doug Smith noted the contract only specified construction and did not include electrical or plumbing updates. Mr. Smith reached out to an electrician for a quote on fixing the power that had been cut at the pole. They also received a quote for the septic issue. The Smiths have not contacted anyone about the heating because the water would need to be turned on. The Smiths inquired about the town's plan for the building or if they planned to sell it. Chairman Burdick stated the previous plan was to utilize the land for a potential expansion of the Fire Department. There has still been discussion about adding an addition at the Fire Station, to build showers and a room for firefighters to rest when they are on call. Selectwoman Carey explained that the Select Board does not have authority to sell properties so the request would need to be voted on at Town Meeting. As of now, the Select Board only has authority to sell the Torrent Station, Town Hall and the 1913 Library. Discussion ensued. Selectwoman Carey suggested buying Town Hall. Chairman Burdick recommended looking into the 1913 library as well. Mr. Smith said they considered the 1913 library but there were no parking plans. Chairman Burdick stated in the next 5 years, the Department of Transportation (DOT) will be putting in a circle in which will change the structure of that section of the street. He also noted there was an old road next to the 1913 Library, that is owned by the town. It could potentially be used for parking but as of now, they are unsure about the condition of the road. Mr. Smith asked if there would be restrictions on what the building is used for. Selectwoman Carey said there will be covenants to keep the façade. Mr. Smith asked how the sale process would work. Selectwoman Carey said the process for the 1913 Library will take longer because they have to check if there are any heirs attached to the property. Ms. Smith asked if the 1913 library could be rented out while in the sales process. Selectwoman Carey said the building is not ADA accessible and would need modifications. Discussion ensued. TA Phelps will look into the rental option and set up a time to meet with the Smiths to view the 1913 Library.

Mr. Don Moyer, Vice President of the Friends of the Northern Rail Trail presented approved extensions to the Northern Rail Trail. Last year Mr. Moyer asked the Board to approve extending the Northern Rail Trail to the north face of the Route 4 overpass, which was completed last fall. The trail ends at the north face because the Scenic RailRiders had their turntable north of the bridge, over the Contoocook river. Mr. Moyer said this year the owner, Mr. Gary Leblanc decided to move the turntable onto the island itself, in line with the Hanna Dustin Memorial. Mr. Moyer and Mr. Leblanc worked with DOT and got permission to extend the trail from the north face, down to the north side of the first bridge, over the Contoocook river. Last Friday, at their Stakeholder meeting with DOT reps, Trails Bureau reps, and Mr. Matt Flanders from the Bureau of Historic Sites, they were given permission to proceed with an application for an FY24 recreational trail program grant. Mr. Moyer noted the grant is used to fund the organization's projects. The application is due at the end of May and in the fall, they will find out what they're awarded. Mr. Moyer would like to extend the stone dust trail to the north face of the Contoocook river bridge. In the future, their goal is to cross the bridge so trail users can get onto the island. They are waiting on a quote for the bridge work because the Rail and Transit Bureau required a bridge inspection and weight capacity rating. Mr. Moyer noted another expansion project is a parking lot between the rail and River Road. The parking lot would be about 180 feet wide and 35 feet deep with a maximum capacity of 25 cars. The trail would be lined with boulders to prevent any cars from driving on the trail. The NH Bureau of Trails was in favor because they're

always looking for parking spots for snowmobile trailers. TA Phelps and PWD Hollins viewed the proposed parking area and had no concerns. Mr. Moyer spoke with Mr. John Porter, a resident of Boscawen, who was supportive of the improvement. He asked the Board if they had any concerns with the proposed parking lot. The Board had no concerns. Mr. Moyer asked the Board for a letter of support for the FY24 recreational trail program grant application. The Board concurred. TA Phelps will write the letter of support. Selectwoman Carey asked what their goals were for the granting organization. The goal was to continue to extend the Northern Rail trail. The trail currently connects ten towns, from Boscawen to downtown Lebanon. It is a total of 59 miles. The long-term goal was to become the backbone of what's known as the Granite State rail trail, which would go from the Massachusetts border through Boscawen, up to Vermont. Mr. Moyer said the progress of their long-term goal slowed down due to Scenic RailRiders and CSX acquiring the sub-Concord section. Selectwoman Carey asked if Concord was making progress. Mr. Moyer gave an update on Concord's progress. As of now, the expectation is there will be no update for 12 to 18 months while CSX reviews all of Pan Am Railways properties that they acquired. Chairman Burdick asked if there were issues with the proposed commuter rail coming into the state, out of Boston. Mr. Moyer said the right of way is owned by the State Bureau of Rail and Transit and maintenance is run by the Bureau of Trails. He said DOT may want to keep those rights due to the potential of converting the rail trails back to active rails. No further discussion.

**Department Head Updates:** Facilities Director Gary Moore gave an update on Police Department improvements. FD Moore spoke with the Department of Environmental Services and received written approval to put a french drain in the Sallyport. Erickson Foundations will be doing the work for \$5,856. FD Moore said the expense will be covered under the Municipal Buildings Capital Reserve Fund. It is scheduled for May 26th and should be completed in the same day. The french drain will be the whole length of the room and a small sump pump will go through the wall into the ground, on the backside of the library doors. FD Moore noted they are also looking into redoing the Police Station floors. ADF Flooring company is preparing a quote. FD Moore has been working on the Town Hall sewer issue. There was a clogged baffle going into the septic tank causing a backup. Rowell's Septic company cleaned out 2,500 gallons of sewage. They suggested blasting the pipe coming into the tank. FD Moore scheduled the pipe work on May 1st with Rowell Septic. Pro Serve cleaned up the sewage for under \$5,000. FD Moore noted there was a quote for \$11,000 from Pro Serve to complete the entire project including removing saturated flooring. He said there is a \$10,000 allowance through insurance. FD Moore would like the expense to come out of his town hall budget line and reimburse it once they receive the insurance money. FD Moore scheduled a pest specialist company on May 9th to take care of the mice problem. The generator project is moving forward. FD Moore has the completed manual with drawings. It went out for bid. On May 2nd at 9:00 AM, the generator bidders will be on site at the Police Station to examine what they need to bid on. The generator bids are due on May 16th. The generator contract is to be awarded on June 6th. At that point, the Town must notify bidders. FD Moore listed other items he will be working on which included: replacing the rusted frames in Sallyport and repairing the adjacent floor, replacing the Police Office floors, installing 3 bollards outside, painting the Municipal Office Building, Police Station and Library and repairing, coating, and painting the parking lot. TA Phelps asked him to expand on the Town Hall flooring plan. FD Moore said it would cost an additional \$6,000 to demolish and clean up the flooring. He would need to get additional quotes for replacing the flooring. FD

Moore has had difficulty finding a local construction company with insurance certificates and W-9 forms. Selectwoman Carey suggested reaching out to ADF Flooring. Chairman Burdick recommended taking out the flooring and leaving it concrete. Discussion ensued. FD Moore will contact ADF Flooring for quotes.

TA Phelps presented a sewer warrant for authorization, on behalf of Town Clerk Nicole Hoyt.

**Selectwoman Carey motioned to authorize Town Clerk Hoyt to collect \$50,669 for Sewer Warrant S02 with interest at 8% per annum from May 31, 2023. Seconded by Selectman Bevans. All in favor. None opposed.**

TA Phelps followed up on the School Financial Administration underpayment. At the previous April 6th meeting, Mr. Bill Heinz spoke about the underpayment from the Andover tuition agreement. It was confirmed that there was no reconciliation process. Mr. Heinz asked the Board to write a letter to the school. Chairman Burdick agreed that a letter from the Board would be beneficial. All concurred.

TA Phelps presented a Police Cruiser repair request on behalf of Police Chief Jason Killary. He requested to make a purchase that exceeds the \$3,000 threshold. The purchase would be to repair a damaged cruiser with costs exceeding a \$1,000 deductible to be covered by Primex. The total estimated costs is \$3,571.03 (town cost \$1,000, Primex coverage \$2,571.03 or the difference). Selectwoman Carey asked what happened to the cruiser. Details on the damaged cruiser were discussed in previous minutes.

**Chairman Burdick motioned to authorize Police Chief Jason Killary to expend funds exceeding \$3,000 to repair a damaged cruiser. Seconded by Selectman Bevans. All in favor. None opposed.**

TA Phelps presented ARPA and Capital Reserve Fund transfers for approval on behalf of Finance Director Kate Merrill.

**Selectwoman Carey motioned to transfer \$449.22 from the ARPA Fund to the General Operating Account to reimburse for expenditures previously approved for a Sewer Study: Underwood Engineers (19662) for \$361.54 and (19347) for \$87.68. Seconded by Selectman Bevans. All in favor. None opposed.**

**Chairman Burdick motioned to approve the Trustees of the Trust Funds to transfer \$495 from the Municipal IT Capital Reserve Fund to the General Fund to reimburse for the following expenditures: Citizen's Bank (3258 Stmt.). Seconded by Selectman Bevans. All in favor. None opposed.**

**Chairman Burdick motioned to approve the Trustees of the Trust Funds to transfer \$25,560 from the Fire Department Capital Reserve Fund to the General Fund to reimburse for the following expenditures: Industrial Protection Services. Seconded by Selectwoman Carey. All in favor. None opposed.**

TA Phelps noted the Old Home Day Town-Wide Yard Sale will be held on May 20th from 8:00 AM to 2:00 PM. Residents can pay \$5 to put their address on the map or \$10 to use a table at the Boscawen Municipal Office. Applications are available in the main lobby or 4<sup>th</sup> floor meeting room. The Select Board gave the OHD Committee permission to hold the event at the Municipal Office Complex.

TA Phelps noted that Mr. Joe Haas requested to be on the May 4th Meeting Agenda to discuss his former property on Tote Road. It was deeded in 2013 and he would like to discuss the Board canceling or voiding the deed to get it back on the tax rolls. Chairman Burdick suggested under legal recommendation, to deny the request to meet. He said they can revisit the request after further communication with legal. All concurred.

PCD Director Easler gave a Board of Health update. The Church was closed pending air quality testing due to the sewer back up at Town Hall. A company came in and completed an air quality test in the sanctuary and office of the church. PCD Director Easler said the cost will be around \$650 depending on what they find. The church will remain closed until information on testing is received late next week. Selectwoman Carey asked what the remedy would be if there was an air issue. TA Phelps stated the company would assume there is mold in the old carpeting in the church which isn't related to Town Hall. Chairman Burdick asked if tests are being covered by insurance. TA Phelps said insurance covers a maximum of \$10,000. PCD Director Easler noted the repair of the septic system issue on High St has been postponed due to the rain. They notified the public through the Police Department but there has been some concerns. They plan to start it back up in a few weeks with police detail. PCD Director Easler noted there was a complaint regarding blasting on the top of High St. The three-lot subdivision will be blasting ledge on one of the lots in preparation for building.

Deputy PCD Director Kearsten O'Brien noted the assessor removed an elderly exemption from a resident, who did not come in to verify their qualification for the elderly exemption. She sent the resident two letters and a reminder stating they needed to come in or their elderly exemption would be removed. She received no response. Deputy PCD Director O'Brien reviewed all the changes with Avitar since the April 15 deadline in regards to A9 & A12 Tax Exempt forms. She presented the Board with a proposed letter from Avitar. They found that some nonprofits in town have not filed their A-9's or A-12's. The letter stated per the RSA's, that non-profits shall file annually, in which they have not, so they will no longer be tax exempt for the year. Selectwoman Carey asked if in previous years, there have been nonprofits that have failed to file. Deputy PCD Director O'Brien she would have to look back and see if there were any. If the Board concurs with the Avitar letter, the nonprofits will be aware that if they fail to file, they will be taxed like regular taxpayers. Avitar provided information on the Board of Land and Tax Appeals. Deputy PCD Director O'Brien noted there is a court case going on with Ossipee regarding this information. It is dismissible in court. TA Phelps asked if there was a possibility that the forms are waiting to be processed. Deputy PCD Director O'Brien stated she would have received them directly or PCD Director Easler. Ms. Loren Martin from Avitar Associates said if the town sent out the letter and the non-profit stated they did file with a copy of proof, then they would reinstate the exemption, if they qualified. She stated some of the properties listed were also getting other exemptions that they didn't qualify for, so all applications were thoroughly reviewed. The Board of Land and Tax Appeals has gone after towns such as Alton, Center

Harbor and Ossipee for granting institutional exemptions to properties that they deemed as charitable. Ms. Martin noted to qualify for the exemption, a property must be owned, used, and occupied for religious, charitable, or educational purpose. If the Board agrees, the town will notify the nonprofits with the first issue tax bill. If they have any issues, they will call the town and/or provide evidence that they filed. By taking it off their first bill, the nonprofits have an opportunity to rectify it prior to the second bill if there are any issues. Ms. Martin noted there were 8 nonprofits that did not file. The Board concurred with sending the letter from Avitar to notify the nonprofits. Deputy PCD Director O'Brien will send out the letters tomorrow.

Deputy PCD Director O'Brien gave a Parks and Recreation program update. The summer program sign ups were last Wednesday. There was a total of 65 kids signed up. Deputy PCD Director O'Brien noted a lot of parents asked to bring their kids every other week or only a certain number of weeks. Deputy PCD Director O'Brien said for the weeks that are not completely full, they are filling them with those spots. She will be creating a list for camp counselors to show which kids are allowed to come each week. The parents are still paying the full price for camp. Deputy PCD Director O'Brien noted they received all payments but are waiting on 3 more T-shirt fees to be paid. As of now, there are no campers that will need assistance. Selectwoman Carey asked if they are still applying to the Thornton Fund. Deputy PCD Director O'Brien spoke briefly with Ms. Kim Kenney who is involved with the Thornton Fund and will reach back out. She needs to figure out what their specific purpose for the funds will be. Deputy PCD Director O'Brien said they have one camp position open, and they interviewed 3 individuals on Monday. She will discuss the candidates with Ms. Lori Cronin to get her feedback.

Selectwoman Carey suggested designating the Town of Boscawen as a tree city in partnership with the Arbor Day Foundation and the NH Division of Forests and Land. Discussion ensued. TA Phelps will find out more information on the qualifications.

Chairman Burdick opened public comment.

22 Cornhill Road—Resident Josh Crawford voiced his opinion on the flooring issue in Town Hall. He recommended to not replace the flooring after it is ripped up. A buyer may have a certain vision and could potentially end up replacing the flooring anyways. Mr. Crawford said the concrete would be more appealing to buyers because they could do what they want with it and for the town it would be a cost savings. FD Moore agreed that it is the most economical plan, but they must determine their options first. No further discussion.

Chairman Burdick closed public comment at 7:15 PM.

### **Non-Public Sessions:**

**Selectwoman Carey motioned to enter a nonpublic session at 7:16pm under RSA 91-A:3 II (c). Seconded by Selectman Bevans. All in favor. None opposed.**

**Selectwoman Carey motioned to exit nonpublic session at 7:23pm under RSA 91-A:3 II (c). Seconded by Selectman Bevans. All in favor. None opposed.**

Public meeting reopened at 7:23pm.

**Selectwoman Carey motioned to authorize the Code Enforcement Officer to investigate and offer a proposed solution to the Board. Seconded by Selectman Bevans. All in favor. None opposed.**

**Selectwoman Carey motioned to seal the nonpublic minutes as they could adversely affect the reputation of any person other than a member of this board. Seconded by Selectman Bevans. All in favor. None opposed.**

Selectwoman Carey spoke with State engineers about the plan for King St. They are planning to put in a middle turning lane and take 5 feet off the old sidewalk by Dunkin' Donuts. She noted there was miscommunication between the power company and the state, causing them to put the poles in the wrong locations. No further discussion.

**Next Meeting:** Thursday, May 4, 2023 at 6:00 PM.

**Selectman Bevans motioned to adjourn. Seconded by Selectwoman Carey. All in favor. None Opposed.**

*Respectfully submitted by Hannah Gardner*